



CITY OF KINGSTON PLANNING BOARD  
MEETING MINUTES  
May 23, 2016  
Common Council Chambers – 6:00 PM

**BOARD MEMBERS:** Wayne D. Platte, Jr., Chairman; John Dwyer Jr, Vice-Chairman, MaryJo Wiltshire, and Charles Polacco.

**BOARD MEMBERS ABSENT:** Robert Jacobsen, Jamie Mills.

**ALTERNATES:** Jonathan Korn, Jamie Mills and William Tubby.

**OTHERS:** Suzanne Cahill, Planning Director, Kyla Haber, Assistant Planner, Ald. Lynn Eckert, Common Council Liaison.

**GENERAL NOTES:**

1. Pledge of Allegiance
2. Introduction of all Board Members and Staff Present
3. Identify exits, bathrooms, no elevator in case of emergency
4. Silence cell phones, conversations should be taken out of room
5. Respect speakers

**REGULAR BUSINESS:**

**Item #1:** Open Public Speaking (6:00P.M. – 6:15 P.M.)

No one spoke at the open public speaking. Chairman Platte closed the open public speaking portion of the meeting.

**PUBLIC HEARING:**

**Item #2:** #200 North Street SITE PLAN/SPECIAL PERMIT to establish and operate multi-use market. SBL 48.84-1-4. SEQR Determination. Zone RRR, RF-H, Heritage Area and Coastal Zone. Ward 8. Jonathan Butler/applicant; North Street Brick Works LLC/owner.

**Discussion:** No one spoke at the public hearing. Stuart Messinger, PE, Chazen Engineering, and Kevin McManus were present at the meeting to represent the applicant.

The proposal is to establish a seasonal food and flea market utilizing existing structures and open space. The plan includes renovations of certain existing buildings to allow for an indoor/outdoor market space, development of supporting space and uses such as parking, lighting, signage and minor landscaping, etc.

S. Cahill stated that staff met with the applicants to review project elements and reviewed comments from the UCPB, along with prior staff notes among other issues that had been raised through public comment. A general statement of operations was submitted, combining responses to multiple topics and is entered into the record. This incorporates detailed information on lighting, staffing, hours of operation, utilities, traffic and circulation, marketing, etc...

S. Cahill explained that a few minor changes were made to the EAF. She asked S. Messinger if the parking numbers listed were correct in that 331 parking spaces would be added with overflow parking for 203 vehicles. S. Messinger stated that the overflow numbers are for potential future demand and the total numbers are accurate and changes have been made amending the FEAF for the Board to consider. W. Platte asked the applicants to respond to the Ulster County Planning Board comments. S. Messinger stated that the information submitted addresses the UCPB comments, however, it does not call them out specifically. W. Platte read each recommendation and the applicants responded verbally, complying with all the requests.

**Required Modifications:**

- **Pedestrian Access** – UCPB recommends a pedestrian crossing to the site from the overflow parking lot.

**Response** – The applicant agreed to add a crosswalk.

- **North Street Condition** – The City should establish responsibilities for maintenance of the road. Vegetation should be cleared along the sides of the road.

**Response** – The applicants have committed to clearing 10ft along the edges of the roadway. K. McManus stated that North Street is a City street and that it was never officially closed. It is their understanding that the City will maintain it as a street. K. Haber asked whether the owners will be requesting the City to plow the portion of North Street beyond the fence in the winter. K. McManus stated that they will need to have a discussion between the applicant, owner, and the City. They would like to have the gate maintained for security reasons and will also be adding a defined pedestrian walkway along the roadway for individuals seeking to park at the public Kingston Point and walk.

- **Emergency Response Plan** – UCPB recommends that the applicants work with the City's emergency response agencies to develop an emergency response plan to serve the site.

**Response** – The applicants agree to work with the City's emergency departments.

- **Traffic Monitoring** – Traffic should be monitored and addressed as issues arise.

**Response** – The applicants agree. They have stated that they will have staff to assist in traffic control. The permit will be renewed periodically. Signage and staff will be located to assist customers.

- **Wayfinding** – The applicants should work with the City to establish off premise signage to direct people to the site.

**Response** – The applicants are planning to include signage off site. They stated that they are also trying to direct traffic off of Delaware Avenue as much as possible, however, they acknowledge that there will be visitors that use GPS to find the site which would likely result in traffic along Delaware Avenue.

**Advisory Comments:**

- Public Access to the Waterfront – Commit to the development of public access for the site.

**Response** – The applicant stated that they are trying to open for the summer and that the public access to the waterfront is a big project with additional reviews required. They are going to continue to develop plans into the future and hope to have more detail on public access to present to the Board.

J. Dwyer asked if there will be any signage added to the waterfront to inform boaters that docking is not permitted along the waterfront. The applicants agree that signage along the waterfront is a good idea and that they had not thought of it.

W. Tubby asked whether there was any decision on the City bus going to the site for the events. S. Cahill stated that it is still being discussed and that would be a private arrangement if it is outside of the regular routes.

S. Cahill asked how the events will be marketed. K. McManus said that Jonathan Butler has a system in place and that he has been marketing Smorgasburg and Brooklyn Flea for a long time and that he will be marketing this venue in the same way. He added that the vendors often have a following and a marketing system of their own which helps to get the word out to a variety of people.

J. Dwyer asked how the operations will be shut down at night to ensure that gas is off and everything is safely put away. K. McManus said that the vendors are responsible for their own equipment, however, there will be paid staff on site that will oversee cleanup and shut down after the event to ensure site security and safety.

S. Cahill asked about Central Hudson. K. McManus informed the Board that CHG&E was at the site earlier that day and that they will be installing a new pole. Certification of service will be provided.

S. Cahill informed the Board that the applicants have adjusted their plans and written narrative to reflect that refuse will be picked up by a private hauler and the City will not be relied upon as originally stated. The question of wetlands had come up in discussion and that the present plans do not include any disruption to existing wetlands.

S. Cahill stated that structural assessments have been made and that many of the dangerous items on the site are being addressed. The applicants are committed to installing some green infrastructure on site including rain gardens and other erosion control and stormwater measures to offset impacts to the environment.

W. Platte asked that applicants if they have reached out to the DEC or ACOE about the bulkhead work that will need to be done. K. McManus said that they have not reached out to any specific agencies yet. They are presently working on plans to address the damages which recent major storm events created. These areas are being re-designed and public safety measures are proposed to be implemented along both the shoreline and certain inland building areas.

W. Platte asked if there are any plans to have special events on the site when the market isn't in operation. K. McManus said that there is a possibility for other events but that nothing is set yet. Staff advised that if an event is planned, they will need to contact the Planning Office to coordinate for traffic, noise, public safety etc....

The Board discussed a term for the special permit. Staff recommended a shorter term of 6 months to allow the applicants time to complete the season and develop additional information for the Board pertaining to public access and any potential issues that may arise as well as establish a definitive plan for public access.

The application was considered a Type I action under SEQR due to the project exceeding the 10 acre threshold for land disturbance. At the April 2016 Planning Board meeting, the Board adopted a resolution to seek Lead Agency in the SEQR review. The resolution and SEQR documentation were circulated to the identified Involved and Interested Agencies. No objection to the Planning Board serving as Lead Agency from Involved Parties were presented and on May 9, 2016 the Kingston Planning Board declared themselves Lead Agency. Based on previous discussion and meetings a revised FEAF has been submitted along with expanded supporting documentation. Staff recommended that a negative declaration be adopted noting all attachments.

Staff advised the Board that a resolution had been prepared for their consideration to adopt a Negative Declaration of Environmental Significance. No objections to the Planning Board acting as Lead Agency were received.

**Decision:** The Board voted unanimously to adopt the resolution rendering a Negative Declaration of Environmental Significance. The Board also voted unanimously to approve the site plan/special permit with the following conditions: The term for the special permit is 6 months expiring on November 23, 2016: DPW, Kingston Water Department, and GHG&E sign offs are needed, signage to address no docking, compliance with the Smorgasburg Operations Plan dated 5/20/16, as well as, Board Policies #1, 1a, 2, 3, 3a, 3b, 4, 4a, 5, 6, 7, 7a, 8, 8a, 9, 10, 11, 12, 13, 14, 14a, 15, 15a, 19, 20. (WP, JK, JD, MW, CP – yes)

The meeting was adjourned at 6:36pm.

May.23.2016 MINUTES